

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DONALD OSORIO, :
Plaintiff, :
v. : Case No. 3:04-cv-259-KRG-KAP
UNITED STATES OF AMERICA, :
Defendant :
:

MEMORANDUM ORDER

This matter was referred to Magistrate Judge Keith A. Pesto for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and subsections 3 and 4 of Local Rule 72.1 for Magistrate Judges.

The Magistrate Judge filed a Report and Recommendation on June 14, 2007, docket no. 28, recommending that the defendant's motion for summary judgment, docket no. 20, be granted.

The parties were notified that pursuant to 28 U.S.C. § 636(b)(1), they had ten days to serve and file written objections to the Report and Recommendation. Plaintiff filed timely objections. They are meritless.

Upon de novo review of the record of this matter, the Report and Recommendation, and the timely objections thereto, the following order is entered:

AND NOW, this 5th day of July, 2007, it is
ORDERED that defendant's motion for summary judgment,
docket no. 20, is granted. The Report and Recommendation is
adopted as the opinion of the Court. The Clerk shall mark this
matter closed.

BY THE COURT:



KIM R. GIBSON,
UNITED STATES DISTRICT JUDGE

Notice to counsel of record by ECF and by U.S. Mail to:

Donald Osorio #31291-037
Federal Prison Camp Sandstone
P.O. Box 1000
Sandstone, Minnesota 55072